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6
7 IN THE UNITED STATES DISTRICT COURT
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA
9 SAN JOSE DIVISION

10 UNITED STATES OF AMERICA,) No. CR-07-00675 JF (PVT)
11)
Plaintiff,)
12)
vs.)
13)
DAVID HINKEL,)
14)
Defendant.)
15)

16 I, Nicholas P. Humy, hereby declare:

- 17 1. I am an Assistant Federal Public Defender for the Northern District of California,
18 San Jose Division. My office represents defendant David Hinkel in the above-captioned case.
- 19 2. Mr. Hinkel has pled guilty to fraud in connection with access devices, in violation of
20 18 U.S.C. §§ 1029(a)(1) and (c)(1)(A)(i).
- 21 3. Mr. Hinkel is out of custody and is currently a resident at the New Bridge residential
22 treatment program in Oakland. As of August 4, 2008, Mr. Hinkel will have completed six
23 months at New Bridge. His period of residential treatment concludes then. At that time, Mr.
24 Hinkel would like to go to live with his parents and his child at his parents' house, which is
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1 located at 193 Wyandotte Drive in San Jose, California. I am informed and believe that his
2 parents consent to having Mr. Hinkel live with them.

3 4. My office has spoken with Abby Medcalf, Director of Program Operations at the
4 New Bridge Foundation. Dr. Medcalf advised that upon completion of the residential program,
5 Mr. Hinkel will be required to participate in the New Bridge Foundation After Care Program.
6 Participants in After Care attend group therapy once per week and submit to random drug testing.
7 Attendance is required and each participant must stay in the program for one year.

8 5. I have spoken with Pretrial Services Officer Victoria Gibson. Officer Gibson does
9 not object to the requested modification, provided that the other terms and conditions of release
10 remain in force.

11 6. I have spoken with Assistant United States Attorney Eumi Choi. AUSA Choi does
12 not object to the requested modification, provided that the terms and conditions of release specify
13 that Mr. Hinkel submit to drug testing and participate in the New Bridge Foundation After Care
14 Program, that Mr. Hinkel seek gainful employment, and that he fully comply with all conditions
15 of release.

16 7. For the reasons set forth above, it is respectfully requested that Mr. Hinkel's
17 conditions of release be modified to allow him to reside with his parents and child at 193
18 Wyandotte Drive in San Jose, California, upon successful completion of the New Bridge
19 residential treatment program, and to require him to submit to random drug testing and to
20 participate in the New Bridge Foundation After Care Program.

21 I declare under penalty of perjury that the foregoing is true and correct, except for those
22 matters stated on information and belief, and as to those matters, I am informed and believe them
23 to be true.

24 Executed this 28th day of July, 2008, in the Northern District of California.

25 _____
26 /s/
NICHOLAS P. HUMY
Assistant Federal Public Defender